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<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>	Attorney Docket Number	T8467998US
	First Named Inventor	Jack Layfield
	COMPLETE IF KNOWN	
	Application Number	
	Filing Date	
	Art Unit	
<input checked="" type="checkbox"/> Declaration Submitted With Initial Filing	OR	<input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)
	Examiner Name	

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MODULAR PREFABRICATED SPA

(Title of the Invention)

the specification of which

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY) [ ] as United States Application Number or PCT International

Application Number [ ] and was amended on (MM/DD/YYYY) [ ] (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B, attached hereto.

[Page 1 of 2]

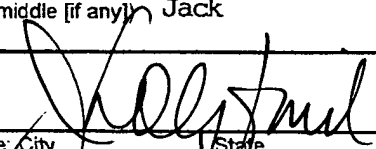

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number: <u>26912</u> OR <input type="checkbox"/> Correspondence address below			
Name			
Address			
City		State	ZIP
Country	Telephone	Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) <u>Jack</u>		Family Name or Surname <u>Layfield</u>	
Inventor's Signature 		Date <u>Dec 16/03</u>	
Residence: City <u>St. Catharines</u>	State <u>Ontario</u>	Country <u>Canada</u>	Citizenship <u>Canada</u>
Mailing Address <u>26 Dalemere Crescent</u>			
City <u>St. Catharines</u>	State <u>Ontario</u>	ZIP <u>L2N 7K5</u>	Country <u>Canada</u>
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) <u>Jamie</u>		Family Name or Surname <u>Wright</u>	
Inventor's Signature <u>X</u> 		Date <u>Dec 16/03</u>	
Residence: City <u>Port Colborne</u>	State <u>Ontario</u>	Country <u>Canada</u>	Citizenship <u>Canada</u>
Mailing Address <u>6 Hampton Avenue - Port Colborne, Ontario</u>			
City <u>Port Colborne</u>	State <u>Ontario</u>	ZIP <u>L3K 5R7</u>	Country <u>Canada</u>
<input type="checkbox"/> Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			

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PTO/SB/61 (09-03)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	
Filing Date	
First named inventor	Jack Layfield
Title	Modular Prefabricated Spa
Art Unit	
Examiner Name	
Attorney Docket Number	T8467998US

I hereby appoint:

☒ Practitioners associated with the Customer Number:

26912

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name

Address

Address

City

Country

Telephone

State

Zip

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98)

SIGNATURE of Applicant or Assignee of Record

Name	Jack Layfield
Signature	<i>Jack Layfield</i>
Date	Dec 22 2003
Telephone	905-309-1800

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/96 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Jack Layfield

Application No./Patent No.: \_\_\_\_\_ Filed/Issue Date: \_\_\_\_\_

Entitled: Modular Prefabricated Spa

\_\_\_\_\_, a  
(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or

2. ☐ an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. [ ] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Jamie Wright To: Leisure Manufacturing Inc.

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: Leisure Manufacturing Inc. To: Jack Layfield

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

December 18/03

Date

905-309-1800

Telephone number

Jack Layfield

Typed or printed name

Signature

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## WORLDWIDE

ASSIGNMENT

**WHEREAS, Jamie Wright**, (hereinafter "Assignor"), whose postal address is 6 Hampton Avenue, Port Colborne, Ontario, Canada, L3K 5R7, invented a certain new and useful invention entitled:

**MODULAR PREFABRICATED SPA**

for which an application (hereinafter the "Patent Application") for Letters Patent was filed in the United States on \_\_\_\_\_ and accorded Application Serial No. \_\_\_\_\_.

**WHEREAS, Leisure Manufacturing Inc.** (hereinafter "Assignee"), having a place of business at 317 South Service Road, Grimsby, Ontario, Canada, L3M 4E8, is desirous of acquiring the entire and exclusive right, title and interest in and to the said invention, said Patent Application and in and to any Letters Patent which may be granted and issued therefor in the United States of America, Canada and throughout the world.

**NOW THEREFORE**, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Assignor does hereby sell, assign and transfer to the Assignee, its successors and assigns, the entire and exclusive right, title and interest in and to said invention, said Patent Application, including the right to file priority applications, any improvements thereto, and in and to any Letters Patent, re-issues and divisionals, which may be granted and issued therefor in the United States of America, Canada and throughout the world.

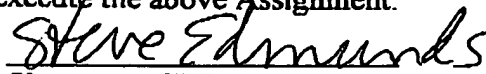
**The Assignor AGREES** to do all things reasonably required of him and to execute all instruments submitted to him by the Assignee for carrying out the full intent of this agreement; and the Assignor hereby authorizes its patent agents to amend this agreement by inserting the serial number and filing date of the Patent Application, and hereby requests and authorizes the Patent Office to issue the said Letters Patent to the Assignee, its successors and assigns.

**EXECUTED** at Grimsby, Ontario, this 16<sup>th</sup> day of December, 2003.

  
Jamie Wright

## STATEMENT BY WITNESS

I, Steve Edmunds, whose full post office address is 9 Rexleigh Cres. St. Catharines, Ontario was personally present and did see Jamie Wright who is known to me, execute the above Assignment.

  
Signature of Witness

**WORLDWIDE**

**ASSIGNMENT**

**WHEREAS, Leisure Manufacturing Inc.** (hereinafter "Assignor"), whose postal address is 317 South Service Road, Grimsby, Ontario, Canada, L3M 4E8, owns the entire and exclusive right, title and interest of Jamie Wright, in a certain new and useful invention entitled:

**MODULAR PREFABRICATED SPA**

for which an application (hereinafter the "Patent Application") for Letters Patent was filed in the United States on \_\_\_\_\_ and accorded Application Serial No. \_\_\_\_\_

**WHEREAS, Jack Layfield**, (hereinafter "Assignee"), having a place of business at 26 Dalemere Crescent, St. Catharines, Ontario, Canada, L2N 7K5, is desirous of acquiring the entire and exclusive right, title and interest in and to the said invention, said Patent Application and in and to any Letters Patent which may be granted and issued therefor in the United States of America, Canada and throughout the world.

**NOW THEREFORE**, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Assignor does hereby sell, assign and transfer to the Assignee, its successors and assigns, its entire and exclusive right, title and interest in and to said invention, said Patent Application, including the right to file priority applications, any improvements thereto, and in and to any Letters Patent, re-issues and divisionals, which may be granted and issued therefor in the United States of America, Canada and throughout the world.

**The Assignor AGREES** to do all things reasonably required of him and to execute all instruments submitted to him by the Assignee for carrying out the full intent of this agreement; and the Assignor hereby authorizes its patent agents to amend this agreement by inserting the serial number and filing date of the Patent Application, and hereby requests and authorizes the Patent Office to issue the said Letters Patent to the Assignee, its successors and assigns.

**EXECUTED** at Grimsby, Ontario, this 18<sup>th</sup> day of December, 2003.

Leisure Industries Inc.

Manufacturing

Name: Jack Layfield

Title: Pres

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- 2 -

STATEMENT BY WITNESS

I, Steve Edmunds whose full post office address is  
9 Rexleigh Cres. St. Catharines was  
personally present and did see Jack Layfield (insert name) who is known to me,  
execute the above Assignment.

Steve Edmunds  
Signature of Witness

TOR LAW5593331 v1

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# **POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM**

Application Number	
Filing Date	
First Named Inventor	
Title	Jack Layfield
Art Unit	
Examiner Name	
Attorney Docket Number	T8467998US

I hereby appoint:



Practitioners associated with the Customer Number:

26912

OR



Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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The address associated with Customer Number:

OR

Firm or  
Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I am the:



Applicant/Inventor.



Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

## SIGNATURE of Applicant or Assignee of Record

Name

Jack Layfield

Signature

Date

Telephone

905-309-1800

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.



\*Total of 4 forms are submitted.

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